

A SEVENTH
Collection of Papers

Relating to the
Present Juncture of Affairs in *England*.

VIZ.

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Licensed and Entred according to Order.

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*Proposals humbly offered in behalf of the
Princess of Orange, Jan. 28.*

IT is a Maxim of the *Law of England* concerning the Government, That there is no *Interregnum*. Of necessity there must be a Change in the Person, yet there is a Continuation of the Government. Which shews the Prudence and Perfection of the Constitution, in preventing that, which of all things is most Deploable, a Failure of Government. This Rule is therefore of that Importance, as not to be given up upon the trivial Saying of *Nemo est heres viventis*.

'Tis true, the common and ordinary cause of a Change in the Person that is invested with the *Royal Authority*, is Death.

But we are now in a rare and extraordinary Case, where the King is living, and yet may be said to be divested of the *Royal Office*, as having by his Encroachments upon the Peoples Rights, provoked them to resort to Arms; and being vanquished by that Force, followed with a total Defection from him, and his Relinquishing the Kingdom thereupon, without providing any ways for the Administration of the Government.

This seems to be a *Cesser* of this Government, and may in Civil and Politick Construction amount to as much as if he had died.

But because this is a *Cess* of that nature that requires a Judgment to be made upon it, it seems necessary to have a *Convention* of the Estates of the Nation, to make a Declaration thereupon (for 'tis not for private Persons to determine in the Cases aforesaid, how or when the King has lost his Government) and till such Authoritative Declaration made, the King may be supposed in some kind of possession of the Kingly Office.

But after the Judgment made and declared, there seems to be no difference in the consequence and result of the thing, between such an extraordinary case of the *Cesser* of the *Royal Dignity*, and the

case of Death or voluntary Resignation ; or as if the King had been profess'd, and made himself a Recluse in a Religious House.

Then it must devolve upon the next Heir, her Royal Highness the Princess of *Orange*.

As to the pretended Prince of *Wales*, if there had been no Suspicions as to his Birth, (as there are many violent ones) yet his being conveyed into unknown Places, by Persons in whom no credit can be repos'd, and at an Age which exposes him to all manner of Practices and Impositions, touching his Person ; then can there hereafter be no manner of Certainty of him, so as to induce the Nation ever to consider any Pretence of that kind.

These things being considered ;

First, Whether will not the declaring her Royal Highness *Queen of England*, as next in Succession, be the surest and best Foundation to begin our Settlement upon ; rather than upon a groundless Conceit of the Government being devolved to the People, and so they to proceed to Elect a King ?

Secondly, If that Conceit of devolving to the People be admitted, Whether must we not conclude, that the Misgovernment of King *James* the Second, hath not only determin'd his Royalty, but put a period to the Monarchy it self ? And then 'tis not only a loss as to his Person, but to the whole Royal Family.

Thirdly, Whether those Persons that have started this Notion, upon pretence of giving the Nation an opportunity of gratifying his Highness the Prince of *Orange*, in proportion to his Merits (which it must be acknowledged no Reward can exceed) if they were searched to the bottom, did not do it rather to undermine this Ancient and Hereditary Monarchy, and to give an Advantage to their Republican Principles, than out of any Affection and Gratitude to his Highness ? For if the latter was that they had the chief respect to, would it not be the more proper way to declare her *Royal Highness Queen*, which will immediately put the Nation under a regular Constitution and posture of Government ? Then it will be capable of expressing its Gratitude to the Prince of *Orange*, in matters touching even the Royal Dignity it self, without making such a Stroke upon the Government, as the Electing of a King, or making any other immediate Alteration in the right of the Monarchy (before the Parliament is compleated and constituted in all its parts) must amount unto.

The Heads of the EXPEDIENT proposed by the Court-party to the Parliament at Oxford, in lieu of the Bill for excluding the Duke of York.

I. **T**HAT the Duke of York be banish'd during his Life, five hundred Miles from *England, Scotland and Ireland*, and the Dominions and Territories to them belonging.

II. That the whole Government, both *Ecclesiastical and Civil*, shall upon the demise of the King, be vested in a *Regent*, for such time as the Duke of York shall survive.

III. That the *Regent* be the *Princess of Orange*, and in case of her Decease without Issue, or with Issue in Minority, then the Lady *Ann*.

IV. That if the *Duke* have a Son educated a Protestant, then the said *Princesses* respectively shall succeed in the *Regency*, during the Minority of such Son, and no longer. Which obviates an incurable Absurdity in the former Bill of Exclusion.

V. That the *Regent* nominate the *Privy-Council*, and they to be, or not to be approved in *Parliament*, as shall be judged safest upon directing the drawing up of this intended Act.

VI. That notwithstanding these *Kingdoms* (out of respect to the *Royal Family*, and *Monarchy* it self) may be governed by the said *Regent*, in the Name and Stile of *James* the Second, &c. yet it shall by this intended Act be made Capital for any to take up Arms on his behalf, or by a Commission not signed by the said *Regent*, or not granted by lawful Authority, derived from and under such *Regent*; or to maintain an Opinion, that the retaining the said Name and Stile, shall in this case purge the disabilities imposed by this Act, or elude the force thereof.

VII. That Commissioners be forthwith sent to the Prince and Princess of *Orange*, to take their Oaths that they will take upon them the execution of this Act, and that their Oaths be here recorded.

VIII. That all Officers, Civil and Military, forthwith take Oaths to observe this Act, and so all others from time to time, as in the Act for the Test.

IX. That his Majesty would graciously declare to call a Parliament in *Scotland*, in order to the passing the like Act there, and recommend the same; and the like to be done in *Ireland* if thought necessary.

X. That in case the said Duke shall come into any of these Kingdoms, then he shall be *ipso facto*, totally excluded, and shall suffer as in the former Bill, and the Sovereignty shall be forthwith intirely vested in the Regent, upon such his coming into any of these Kingdoms.

XI. That all considerable *Papists* be banish'd by Name.

XII. That their fraudulent Conveyances be defeated.

XIII. That their Children be educated in the *Protestant Religion*.

By these means these three Kingdoms will be united in defence of the *Protestant Religion*, his Majesty's Person and Government, and a sure Foundation laid of an effectual *Leagu* with *Holland*, and consequently with the rest of *Christendom*, in opposition to the growing Greatness of *France*.

☞ *It was thought fit to reprint this Expedient, that the Reader may compare it with the Bill of Exclusion, (which may be seen at large in the Debates of the House of Commons, lately published) and judge which was the greatest Evil of the two, viz. that which would have set the Duke aside, and given him liberty to live where he pleased, or that which would have strip'd him of all Power, and banish'd him 500 Miles off, and left him only the Name of a King. An Excellent Expedient indeed.*

*An Account of the irregular Actions of
the Papists in the Reign of King James
the Second : With a Method proposed
how to rid the Nation of them.*

By a Person of Quality.

THE dreadful Revolutions, Plots and Conspiracies, which have been promoted by the Roman Catholicks in *England* since the Reformation, are of that nature, and have caused such fearful Convulsions in our Church and State, that it is a great Argument of the Goodness and Providence of God, that we have been able to bear so many Shocks, and to avoid so many deep Designs as have now twice within the memory of Man brought us to the brinks of Ruin.

We must be very impious or very stupid if our last Deliverance has not been able to make us adore the boundless Goodness of God towards us his sinful and unthankful Servants ; he, having defeated the Hopes, and totally overthrown the Contrivances of that restless, implacable, perfidious Faction, when they seemed to be in such a Condition that they need fear nothing, but the Almighty Power of God, miraculously exerting it self, as in the case of *Sennacherib*, which they neither feared nor suspected.

The Non-resisting Doctrine had so ty'd the hands of the Church of *England* Men, that they thought they might safely insult over us, and ridicule the Bond that bound us to our good Behaviour. The Dissenters were, as they thought, so obliged
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by the Liberty of Conscience, and the fulsom Applications they had made to them in many ill writ pieces, and by the Favours ~~bestowed on Pen and Lob~~, the two Patriarchs, as they would have been thought of that Party: That they not only suspected no oppositions from them, but really conceived they would have been more than *Scaffolds* in the ruining Design they had then on foot. The Gentry were reduced to the utmost degree of Contempt, and the Nobility, who only were capable of putting a stop to such notorious and impolitick Encroachments on our Birth-rights and Liberties, were not only closeted, examin'd, re-examin'd, turn'd out of their Stations, brow-beaten, ridicul'd at Court, and in short, driven into the Country; but they were also by all the Arts that were possible rendered odious to the Crown, contemptible to one another, and of no use to their Inferiours.

The Army, which was the next great Engine to bring about their Design, was managed with more Art than is commonly considered; for first there was a Party of Roman Catholics mixed with the Common Souldiers, to be as it were Spies and Tempters, to creep into all the places of their resort, to observe their Words, Looks and Actions, and to take the opportunity of all their Needs, Crimes, Vices and Follies, to pervert them, and draw them over to the Church of *Rome*; and in the mean time to secure them from contriving any thing that might interrupt their Projects upon us. Secondly, They punished all who deserted the Service with the utmost Rigour and Severity to keep up their numbers. And thirdly, They sent them to quarter in those places that had in any degree refused to comply with their Wills, and not only suffered, but encouraged them to outrage, and sometimes to murder their Hosts; but to be sure in all places they very much impoverish'd those that entertain'd them, and in the Interim they kept all in awe and quiet, whilst the State-Mountebanks practis'd upon their Lives, Consciences, Liberties and Properties.

A People thus harassed and beset, one would have thought had been consigned to Ruin and Destruction; for where could our Deliverance begin? The Parliament, which is our last resort, was at the same time practis'd on with all the Art and Address that the Wit of Men or Devils could invent; and he must be of a deep Reach, or a Sanguine Complexion, who in the begin-

ning of *September* last could hope to see a Free and a quiet Parliament meet and sit one Month, to represent with any degree of Liberty, our deplorable State and Condition, much less to redress any of our Grievances.

We had one Hope, which if they had left us still, we had certainly been as quiet and patient as *Job* himself, and that was, that the Princess *Mary* of *Orange* would, when God thought fit, succeed his Majesty, and then we promis'd ourselves a Day of Redemption from all our Calamities and Oppressions; so that our Posterity would at worst see better days. To deprive us of this remote Comfort, that Scene was laid, and the Lady of *Loretto* solicited to procure a Prince of *Wales* to reduce us to an utter Desperation of any Redress for ever. And now they thought they were so secure of the Day, that they might attack the Heretical Bishops, and the whole body of our Clergy at once, and make them eat their own Dung in the Faces of their respective Congregations; if they had comply'd, the whole Nation would have abhorred them, as a parcel of Cowards; if they did not, the Ecclesiastical Commission was to have mowed them down by whole-sale; and when the People had been once deprived of their faithful and learned Shepherds, the Wolves in Sheeps-clothing hoped to have had much better Success than hitherto: but the Bishops interposing so, united the inferior Clergy, that this Design proved abortive, and the declaring the Bishops Petition a Seditious Libel, and so much the more dangerous because penn'd with great Modesty and Humility, so far opened the Eyes of all Men, that the most Ignorant saw nothing less than the Extirpation of the Protestant Religion was aim'd at.

The Army however, which was the great Wheel in this most dreadful Machine, was for the most part Protestant, and had express'd so much Joy at the acquittal of the Bishops, in the Camp at *Hounslow-Heath*; that they clearly saw, till it was new-modell'd, it could not be relied on; and therefore the French and Irish were to be invited over, and the Companies changed by degrees: and when six of the Officers at *Portsmouth* had with the greatest Humility imaginable, only desired leave to fill up their Companies with such Men of the Nation as they judged most serviceable to the King, or otherwise that they might be permitted, with all imaginable Duty and Respect, to lay down their Commissions;

missions; for this Offence they were brought up Prisoners to London, and it was given out they should be hanged, as perhaps they had been, if *Monsieur de Avaux's* Memorial given in at the *Hague*, had not come in that very Post to enlighten our little *Statesmen*, and shew them their approaching Danger, and yet after all, the 10th of *September* last they were cashier'd at *Windsor*.

And when the Storm from *Holland* seemed unavoidable, with what Insolence did they treat the Eleven Proposals made by the Bishops, and the Petition presented the 17th of *November* last, by the Bishops and Peers about the Town? So that till the Army began to go over to the Prince of *Orange*, and the greatest part of the Nation had declared for him: No Parliament was to be thought of, and the *Dispensing Power* was the most Sacred of all the Prerogatives of the Crown.

That we may not imagine all this was undertaken, and entered upon without good Consideration of the Difficulties the *Roman Catholic* were to met with, I would desire the Reader to peruse a small Piece by them published in the Year 1685, during the first Session of Parliament of *James* the Second, still d, *Salus Britannica, or the Safety of the Protestant Religion, against all the present Apprehensions of Popery*, in Folio. The Design of which, as the Author himself tells us, is to examine what National Operation or Influence a Real Popish Crown'd Head can have over the Lives, Liberties, or Estates of *English-men* as now enjoyed, and the Religion of the Kingdom, as at present Establish'd, and by confuting even the most substantial of their imagined Dangers, to dissipate those false fears of Popery, &c. page 1. And in truth I believe no Man can deny but he has very effectually proved, that it is utterly impossible for a Popish Prince, who has none but these Three Kingdoms, to set up Popery in this Nation, and that all he can gain by the Attempt, will be the Ruine of himself. And certainly they could not but apprehend this might possibly, if not probably, be the Event; yet after all, King and Kingdom was at last to be sacrificed to the holy See of *Rome*; and on they went when they had proved it impossible to succeed.

I need be the less exact in setting down what they have done, it being within the space of four Years last past, that they have had the management of Affairs, and so all things are as fresh in

all Mens Memories, as if they had been acted but yesterday : I think then, that I may from these Premises safely conclude, that a more daring, restless and implacable Faction never appeared under the Sun than this is ; And that it is the Interest of every true *English* Protestant, of what Perswasion soever he be, to do his utmost to free this miserable Nation from the Danger and Fear too (if it be possible) of ever feeling again the dire Effects of Popish Zeal, or rather Fury.

Our wise Ancestors, for above these three hundred Years, have been labouring to restrain this *Demonack*, by *Laws, Oaths* and *Tests* ; and when all the Methods of Severity fail'd, we have tried the Charms of Kindness, Trust, Friendship and Reliance : We set up a Prince of their Communion, and opposed all those that would have Excluded him, with a Zeal which made us look a little too much in love with one who seem'd designed to be our Scourge by Heaven it self. When he had declared his Religion, and some of his Party, amongst whom *Nevel Paine* was one, had given us clear Indications of their Rage against us ; yet we in Parliament, not only attainted, and thereby ruin'd the late Duke of *Monmouth* and his Party, but when some Gentlemen propos'd to have the Security of the Protestant Religion taken into Consideration, the House declared they would *intirely rely upon his Majesty's Promise for the Security of their Religion, which they valued more than their Lives.* And before this, when *Charles the Second*, the 30th of *April 1679*, to avoid the Exclusion-Bill, propos'd very advantageous Restrictions of the Authority of a *Roman Catholick* Prince, the *Church-of-England-men* rejected them, for fear they should too much weaken and expose the Regal Authority, not to mention the Favours shewn to all the whole *Roman Catholick* Party, during the fierce Prosecution of the Popish Plot in that Prince's Reign : Well, what could have been done more than was, to oblige Men or Christians to treat us like Friends, when they had an opportunity to express their Gratitude ? No, stay you there Gentlemen, we Roman Catholicks have but one Friend in this World, and if you are not for him too, stand off ; expect nothing from us but Ruin and Desolation. Will you *Repeal the Penal Laws and the Tests* ? Why I cannot betray my Religion : Then make room for one that will, Turn out, *Ite Procul, Ite Profani.* And we all know what follow'd, and I suppose no body in this Generation

tion will have so little wit as to pretend any more to oblige a Roman Catholick by any of these things.

Well, will Oaths bind them? No, they have a Pope, and a Maxim that will frustrate that Ligament, when ever it is for their convenience to be free. And of this we have seen and felt too much already. Will Laws? If you catch and hang the Priest, the Traitor, the Cut-throat, he is made a Martyr, his Crime's deny'd, palliated, excus'd, or it may be justified and defended as occasion serves, and yet after all, they shall have the Satisfaction of clamouring against you for a persecuting Church, and a bloody Nation.

Well, what is to be done? Why, for my part, I can see but one possible Method to quiet the Nation, and that is once for all to clear it of these Monsters, and force them to transplant themselves, not out of the *English* Dominions, but out of this Island: As long as they continue amongst us, they neither can nor will be quiet; Priests they must and will have, and that Ferment will suffer nothing near it to be at rest. The remembrance of what is past will irritate the Minds of Men, and make them jealous of future Evils, so that no care of the wisest and best Governours can long keep the Nation in Tranquillity and Peace, if these Men-catchers are suffered to nestle amongst us. But then I would have this extended only to *England* and *Scotland*, because *Ireland* would be laid desolate by such an Expedient, and if the *English* Nation, which has not above 40000 Roman Catholicks, were once cleared, it would very easily suppress and revenge any Attempt could be made in that Kingdom.

Besides this, all Feme Coverts, all Persons above sixty or fifty years of Age, all Day-labourers and Handy-crafts-men might be excepted; these can maintain no Priests, nor much imbroil the Peace of the Nation, or at least for no long time; but then all the Nobility, Gentry, Merchants and rich Tradesmen of that Religion, I think ought to be sent packing, and for the future a Law be made to disfranchise them, and make them incapable of possessing, purchasing, inheriting or transmitting any Lands, Tenements, or Hereditaments, to the value of forty Shillings *per Annum*, or upwards.

To make this the more easy, yet it were fitting that every individual Person should be asked whether he had rather leave
his

Country, or his Religion ? and all that would promise the latter upon Oath, to be excused, but so as to forfeit their Estates if they relapsed after the Oath so taken, or brought up their Children in that Religion.

Secondly, To allow all that would transplant themselves the full value of their Estates, both Real and Personal, their Debts being first paid and deducted. This would enable them to live in as great or a greater Equipage and Grandeur in our Plantations, as they ever had here in *England*; and if they removed into *Germany* or *France*, *Italy* or *Spain*, their Estates would make their Lives easy, and their Banishment honourable. The World is wide, and if I were one of them I should never stay for an Act of Parliament, but would certainly sell what I had and be gone, that I might enjoy my Religion and my Estate in a warmer Climate.

But, alas, they love their Country too dearly to leave it : what is it in *England* they love ? The Civil Liberties they had brought to the utmost limits of Destruction : The Religion of *England* they hate above all other ; the Earth is not more Fruitful, and the Air is much colder than that of other Countries, and I am confident the English Humour is so far exasperated against Popery, that half a hundred Years will not allay the Fever the last four Years have raised in the English Blood against Popery ; so that they have nothing to attach them to *England*, but the sullen hopes of being a Plague and a Terror to us.

But it will be said, The transporting so much Wealth out of the Nation will too much impoverish us : This ought well to be considered, and a true Estimate made both of the Estates and Debts of the Roman Catholicks, and of the Methods of returning their Effects beyond the Seas, and then perhaps it would rather increase our Trade than abate our Wealth. And as for the weakning us by the taking off so many of our People, this I am sure is a meer *Chimera*, two or three thousand Persons would be the utmost that we should lose : And those who bought their Estates would be better Subjects and Neighbours than ever they will be as long as they continue *Roman Catholicks*.

It is not to be imagin'd, that all or any considerable Part of this Wealth will be transported in *English* Money in *specie*, but in Merchandise, Bills of Exchange, &c. So that I am confident we have more sent away to the *Jesuits* Colledg beyond the Seas in seven Years, than would be carried out in *specie* on such an occasion; and hereby we should at once rid our selves of one of the greatest Plagues that any Nation ever struggled so long with.

Nor would it be only Profitable but *Just*. They have given us the greatest Provocation that ever was given by Men, to Men. Did ever 40000 Men in any other part of the World ever before endeavour to do what they themselves had proved to be impossible? Did ever such an handful of Men before, by Fraud and Violence, design to enslave a Free, to impoverish a Rich, to subdue a Valiant and Generous Nation? What could they mean by the Force they in Print, and in common Discourse intimated, that was, to compel us to give up our Laws, if fair Means would not do, but a Massacre, or a French Invasion? Let them consider how they have treated those of our Religion in *France* and *Piedmont*; and then tell me, and all the World, if we have treated them in the same manner, when we have sent them away with all they can justly call their own, only that we might not be forced to ruin them by a slower Prosecution.

The Facility is equal to the Justice of this Method; they are few in number, hated by all the rest of the Nation; and besides all their former Misdemeanours, have, by the late Attempts upon the Religion and Liberties of *England*, so far increased the Aversion of all degrees of Men amongst us, that they will find very few to pity them, and not many to speak for them.

The only Objections I can foresee, are, first, That it will impoverish *England* to suffer them to carry away their Estates, and look too like Popish Cruelty, to turn them out despoiled of what they have, or of a great part of their Fortunes. Now this Objection must be considered in Parliament, because no one Man can make any thing near a true Estimate what the value will be, their Debts being deducted, till a true Account is given of their Estates and Debts, and then I verily

ily believe it will be found much less than it seems at first.

The second Objection is, That it will weaken us and strengthen our Enemies, to lose so many of our People. To this, I say, it is apparently otherwise ; For if those Estates were in the Hands of Protestants, they would much more contribute to the Union and Strength of *England*, than the Persons of these Roman Catholicks-do, of whom we can make little or no use in Civil or Military Affairs, at Home or Abroad, in Peace or War. And if they were added to any other Country, the Peace and Union they would leave us in, wou'd infinitely overballance the loss of their Persons, and, as I believe, of their Estates too.

But now, on the contrary, if they be continued still amongst us, we must still struggle with all those Inconveniences, which have necessitated our Ancestors to make so many Laws against them, and the Severities which must be used to keep them under, will, by degrees, when the Memory of the late Transactions is worn off, beget compassion, and that will grow greater, as they grow fewer and less dangerous, and yet at last one single *Jesuit* may destroy the best of our Princes, and two or three Gentlemen of Estate, may disquiet and enjealous a whole County ; and when all is done, no hopes is left that any lasting Peace can be made with them ; so that as long as there is any of that Religion in *England*, there is a Ferment in the Veins of the Nation, which will cause dreadful Paroxims.

Their Emissaries will also sow Dissentions between us and the Dissenters, and exasperate the Parties against each other ; so that the good Correspondence which is now between us and them, will, in short time, be turn'd into Hatred on both sides, if all the Care imaginable be not taken on both Sides of these Incendiaries, which will never be wanting whilst we have a Popish Nobility and Gentry, how small soever it is in Number.

The Seminaries at *St. Omers*, *Doway*, &c. are kept up by the Nobility and Gentry of that Communion, and tend very much to the imbroiling and weakning *England*, and the advancing the Interest of *France* ; but would soon dwindle away if they had no Supplies from *England*, as they could have little

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if we had no Popish Nobility or Gentry, and the Lands of *England* were only in the Hands of Protestants.

The retiring of His late Majesty into *France*, is another strong Inducement : as long as He or the *Child* is living, they will have a pretence to Plot and cut Throats, and they will have some to pity, and others to applaud them ; so that if there were no other Reason, this alone were sufficient to determine the Question, unless we are resolved to shew our selves as careless of a Protestant Prince, as we have been over-fond of a Roman Catholick, which will be an ill Recompence for our Deliverance.

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The Present CONVENTION, A PARLIAMENT.

I. **T**Hat the Formality of the King's Writ of Summons is not so essential to an *English* Parliament, but that the Peers of the Realm, and the Commons, by their Representatives duly elected, may legally act as the great Council and representative Body of the Nation, though not summon'd by the King, especially when the Circumstances of the time are such, that such Summons cannot be had, will (I hope) appear by these following Observations.

First, The *Saxon* Government was transplanted hither out of *Germany* where the meeting of the *Saxons* in such Assemblies was at certain fixed times; *viz.* at the new and full Moon. But after their Transmigration hither, Religion changing, other things changed with it; and the times for their publick Assemblies, in Conformity to the great Solemnities celebrated by Christians, came to be changed to the Feasts of *Easter*, *Pentecost*, and the *Nativity*. The lower we come down in Story, the seldomer we find these general Assemblies to have been held; and sometimes (even very anciently) when upon extraordinary Occasions, they met out of Course, a *Precept*, an *Edict*, or *Sanction* is mentioned to have issued from the King; But the times, and the very place of their ordinary Meeting having been certain, and determined in the very first and eldest times that we meet with any mention of such Assemblies, which times are as ancient as any Memory of the Nation it self; hence I infer, that no Summons from the King can be thought to have been necessary in those Days, because it was altogether needless.

Secondly, The Succession to the Crown did not in those Days, nor till of late Years, run in a course of lineal Succession by right

or

of Inheritance: But upon the Death of a Prince, those Persons of the Realm that composed the then Parliament, assembled in order to the choosing of another. That the Kingdom was then Elective, though one or other of the Royal Blood was always chosen, but the next in lineal Succession very seldom, is evident from the Genealogies of the *Saxon* Kings, from an old Law made at *Calchuryk*, appointing how, and by whom Kings shall be chosen; and from many express and particular Accounts given by our old Historians, of such Assemblies held for electing of Kings. Now such Assemblies could not be summon'd by any King; and yet in Conjunction with the King that themselves set up, they made Laws, binding the King and all the Realm.

Thirdly, After the Death of King *William Rufus*, *Robert*, his elder Brother, being then in the *Holy Land*, *Henry*, the youngest Son of King *William* the first, procur'd an Assembly of the Clergy and People of *England*, to whom he made large Promises of his good Government, in case they would accept of him for their King; and they agreeing, that if he would restore to them the Laws of King *Edward the Confessor*, then they would consent to make him their King: He swore that he would do so, and also free them from some Oppressions, which the Nation had groan'd under in his Brothers and his Fathers time. Hereupon they chose him King, and the Bishop of *London*, and the Archbishop of *York* set the Crown upon his Head; which being done, a Confirmation of the *English* Liberties pass'd the Royal Assent in that Assembly, the same in Substance, though not so large as King *John's*, and King *Henry* the thirds *Magna Charta's* afterwards were.

Fourthly, After that King's Death, in such another Parliament, King *Stephen* was elected, and *Maud* the Express put by, though not without some Stain of Perfidiousness upon all those, and *Stephen* himself especially, who had sworn in her Father's Life-time, to acknowledge her for their Sovereign after his Decease.

Fifthly, In King *Richard* the firsts time, the King being absent in the *Holy Land*; and the Bishop of *Ely* then his Chancellor, being Regent of the Kingdom in his Absence, whose Government was intolerable to the People for his Insolence and manifold Oppressions, a Parliament was convened at *London*, at the Instance of Earl *John*, the King's Brother, to treat of the great and weighty Affairs of the King and Kingdom; in which Parliament this same Regent was de-

pos'd from his Government, and another set up, viz. the Archbishop of *Reims* in his stead. This Assembly was not conven'd by the King, who was then in *Palestine*, nor by any Authority deriv'd from him, for then the Regent and Chancellor must have call'd them together; but they met, as the Historian says expressly, at the Instance of Earl *John*. And yet, in the Kings Absence, they took upon them to settle the publick Affairs of the Nation without him.

Sixthly, When King *Henry* the 3^d. died, his eldest Son, Prince *Edward*, was then in the *Holy Land*, and came not home till within the third Year of his Reign; yet, immediately upon the Father's Death, all the Prelates and Nobles, and four Knights for every Shire, and four Burgesses for every Borough, assembled together in a great Council, and settled the Government till the King should return; made a new Seal, and a Chancellor, &c.

Infer from what has been said, that Writs of Summons are not so essential to the being of Parliaments, but that the People of *England*, especially at a time when they cannot be had, may by Law, and according to our old Constitution, assemble together in a Parliamentary way without them, to treat of and settle the publick Affairs of the Nation. And that if such Assemblies so conven'd, find the Throne vacant, they may proceed not only to set up a Prince, but with the Assent and Concurrence of such Prince, to transact all publick Business whatsoever, without a new Election; they having as great Authority as the People of *England* can delegate to their Representative.

II. The Acts of Parliaments not formal nor legal in all their Circumstances, are yet binding to the Nation so long as they continue in force, and not liable to be questioned as to the Validity of them, but in subsequent Parliaments.

First, The two *Spencers*, *Temp. Edwardi Secundi*, were banished by Act of Parliament, and that Act of Parliament repealed by *Dures & Force*; yet was the Act of Repeal a good Law, till it was annull'd 1 *Ed. 3.*

Secondly, Some Statutes of 11 *Rich. 2.* and Attainders thereupon were repealed in a Parliament held Anno 21. of that King, which Parliament was procur'd by forc'd Elections; and yet the Repeal stood good, till such time as in 1 *Henry 4.* the Statutes of 11 *Rich. 2.* were revived and appointed to be firmly held and kept.

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Thirdly,

Thirdly, The Parliament of 1 *Hen. 4.* consisted of the same Knights, Citizens and Burgeses that had served in the then last dissolved Parliament, and those Persons were by the King's Writs to the Sheriffs commanded to be returned; and yet they passed Acts, and their Acts tho never confirmed, continue to be Laws at this Day.

Fourthly, Queen *Mary's* Parliament that restored the Pope's Supremacy, was notoriously known to be pack'd, inasmuch that it was debated in Queen *Elizabeth's* time, whether or no to declare all their Acts void by Act of Parliament. That course was then upon some prudential Considerations declined; and therefore the Acts of that Parliament, not since repealed, continue binding Laws to this Day.

The Reason of all this, is, Because no inferior Courts have Authority to judge of the Validity or Invalidity of the Acts of such Assemblies, as have but so much as a Colour of Parliamentary Authority.

The Acts of such Assemblies being entred upon the Parliament-Roll, and certified before the Judges of *Westminster-Hall*, as Acts of Parliament, are conclusive and binding to them; because Parliaments are the only Judges of the Imperfections, Invalidities, Illegalities, &c. of one another.

The Parliament that call'd in King *Charles* the second, was not assembled by the King's Writ, and yet they made Acts, and the Royal Assent was had to them; many of which indeed were afterwards confirmed, but not all, and those that had no Confirmation, are undoubted Acts of Parliament without it, and have ever since obtained as such.

Hence I infer that the present Convention, may, if they please, assume to themselves a Parliamentary Power, and in Conjunction with such King or Queen as they shall declare, may give Laws to the Kingdom as a legal Parliament.

A LETTER to a Member of the CONVENTION.

SIR,

I Hear you are elected a Member of this next Convention, and therefore expect to see you very suddenly in Town; but I can tell you my mind more freely in Writing, and you may think better of it when you see it before you; and therefore I have rather chose to give you the trouble of this Paper, than to leave all to a personal Conference at our next Meeting.

I will not dispute with you about what is past, or what is to come; it is too late to do the first, and as for the second, whatever becomes of other Arguments, Interest is most apt to prevail, and therefore all that I beg of you, is to take care that you do not mistake your own and the Nations Interest in a matter of such high Concernment.

There is no less Affair before you than the Fate of Princes, and of three Kingdoms, which requires the most calm, mature, and deliberate Advice; and yet when you come to *London*, you will find such Distractions and Divisions in Mens Counsels, that all the threatening Dangers of *Popery* were not a more formidable prospect to Considering Men, all old Animolities are revived, and new ones fomented every day; some are visibly acted by Ambition, others by Revenge; the *Dissenter* is very busie to undermine the Church, and the *Commonwealths Man* to subvert Monarchy, and *the Lord have Mercy upon us all*. I doubt not but you will readily confess, that it is the common Interest to have things settled upon such a bottom, as is most like to last, and, then, I am sure, you must consult both Law and Conscience in the matter, and keep to your old Establishment as near as you can; for when there are so many Dissenpers in Mens Minds, and such contrary Interests, it is no time to innovate, it is no time to lay new Foundations, when there are frequent Earthquakes,

which will not give them time to settle : The Revolutions of State have been so quick and sudden of late, that all prudent Men will be cautious how they try Experiments, which are commonly dangerous and uncertain, but especially in matters of Government, which depend on the good liking of free and moral Agents, and when so many Hundred Thousands are to be satisfied, you can never guess at the prevailing Opinion, by the major Vote of a Convention.

Let us then consider, what is most likely to give the most general satisfaction to the Nation, for that, I am sure, is most likely to be lasting, and because you may be a Stranger to these Matters yet, I will give you an Account of the different Projects now on foot, as well as I can learn them.

Some are for sending to the King, and Treating with him to return to his Government, under such Legal Restraints, as shall give security to the most jealous Persons, for the preservation of their Liberties, Laws, and Religion ; and if he will not consent to this, to make the next Heir Regent. Others are for declaring the Crown forfeited, or demised, and proclaiming the *Princess* of Orange. Others will have the Government dissolved, and begin all *de novo*, and make the *Prince* of Orange King, or Crown him and the *Princess* together, and *postpone* the Title of the *Princess Ann*, till after the *Prince's* Death, if he survive the *Princess*. I shall not pretend to tell you, which of these I should prefer, were it *Res integra* ; for the Question is not, which you and I should like best, but which will be the firmest Foundation for the Peace and Settlement of these Kingdoms.

1. As for the first, though it be horribly decried, and such Men foolishly exposed as Friends to *Papery* and *Arbitrary Power* ; yet I could never meet with any Man yet, who had the face to reject all Treaty with the King upon any other pretence, but that it was in vain, that it is impossible he should give any Security to the Nation that he would Govern by Law ; which is so ridiculous a pretence, that it will satisfy no Body, but those who are resolved, that he shall never return. For, as little as I am versed in this matter, I could frame such Laws, as should put it utterly out of the King's Power to invade our Liberties or Religion : However, I am sure we should have thought our selves very secure, would the King have called a *Free Parliament*, and given them liberty to have made what Laws they pleased, and that which would have given such general satisfaction before, had it been granted, I suspect, should it be now granted, and

and refused, that would give as general dissatisfaction; nay, the very refusal to Treat, will be thought such a scandalous neglect of our Duty to a Sovereign Prince, and give such Jealousies to People, that those who oppose it, are only afraid that the King should comply, as will be the foundation of universal Discontents, which will shew themselves upon the first occasion. It is certain, would the *Convention* Treat with the King, either they would agree, or they would not agree; if they could not agree upon the proposal of reasonable Securities, this would satisfy Multitudes of People that they had tried; if they did agree, this would give universal satisfaction, and there were an happy end of all our Troubles.

But now let us suppose, that part of the *Convention* should prevail which is against Treating with the King, and for deposing or setting him aside without more ado; let us consider what is like to be the most probable Consequence of this.

It is certain, this fundamental Change in the Government cannot be made by any Legal Authority; for the *Convention* will not pretend to any such Legal Power, and there can be no Parliament without a King; and a King whose whole Authority depends upon a *Convention* that has no such Authority, is but in a weak state as to Civil Right: No Man will think himself bound in Conscience to obey him, and when every Mans Conscience is free, let such a Prince beware of Epidemical Discontents. And let you and I calmly consider, what Discontents may probably arise upon such a Juncture.

1. First then, All those who think themselves bound by their Oath of Allegiance to defend the King's Person, Crown and Dignity, who wonder at Men of Law, who talk of a Forfeiture or Demise of the Crown while the King lives, and flies out of his Kingdoms only for the safety of his Person, and because he will not trust himself in the power of his Enemies; I say, all such Persons will be greatly discontented at Deposing the King, and will never own any other King, while their own King, to whom they have sworn Allegiance, lives; and tho you should suppose such Conscientious Men to be very few, yet if these few should happen to be Persons of Character, of known Prudence and Abilities, Integrity and Honesty, in Church or State, their Examples would give a terrible Shock to such a new tottering Government, tho they were never so Tame and Peaceable, void of Faction and Sedition themselves.

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And yet let me tell you, you must not judge of the Numbers of these Men by the late general defection. The whole Nation, I confess, was very unanimous for the *Prince*, great numbers of Gentlemen, nay, of the King's own Soldiers went over to him, very few but Papists offered their Service to the Kings; but the reason of this was very evident; not that they were willing to part with the King, and set up another in his room, but because they were horribly afraid of Popery, and very desirous to see the Laws and Religion of the Nation settled upon the old Foundations by a *Free Parliament*, which was all the Prince declared for; but many who were Well-wishers to this Design, will not renounce their Allegiance to their King; and now they see what is like to come of it, are ashamed of what they have done, and ask God's pardon for it, and are ready to undo it as far as they can.

2. Besides a thousand occasions of Discontent which may happen in such a Change of Government as this, which no Body can possibly foresee, and yet may have very fatal Consequences, there are some very visible occasions for it besides the sense of Loyalty and Conscience.

How many Discontents, think you, may arise between the Nobility and Gentry, who attend the new Court? Every Man will think he has some Merit, and expect some marks of Favour to have his share of Honour, and Power, and Profit, and yet a great many more must miss, than those who speed, and many of those who are Rewarded, may think they haven't their Deserts; and be discontented to see others preferred before them; and those whose expectations are disappointed, are disoblged too, and that is a dangerous thing when there is another, and a rightful King to oblige; for Duty and Discontent together, to be revenged if a new King, and to be reconciled to an old One, will shake a Throne which has so sandy a Foundation. The like may be said of the Soldiery, who are generally Men of Honour and Resentment, and have the greater and sharper Resentments now, because they are sensible of their mistake when it is too late; yet as they ought not to have Fought for Popery, nor against the Laws and Liberties of their Country, so neither ought they to have deserted the defence of the King's Person and Crown, but have brought the Prince to Terms, as well as the King.

Thus you easily foresee what a heavy Tax must be laid upon the Nation, to defray the Charge of this Expedition, and I believe the

the Country would have paid it very chearfully, and thankfully, had the Prince restored to them their Laws, and Liberties, and Religion, together with their King; but you know Men are apt to complain of every thing, when Money is to be paid, and it may be it will be thought hard to lose their King, and to pay so dear for it too: And tho' what the *Convention* does is none of the Prince's fault, no more than it was his design, yet angry People don't use to distinguish so nicely.

But there is a greater Difficulty still than all this: There are no Contentions so fierce as those about Religion; this gave Life and Spirit to the Prince's Design, and had the main stroke in this late Revolution: And though Popery were a hated Religion, yet most Men are as zealous for their own Religion, as they are against Popery. Those of the Church of *England* are very glad to get rid of Popery, but they will not be contented to part with their Church into the Bargain; for this would be as bad as they could have suffered under Popery. The several Sects of Dissenters are glad to get rid of Popery also; but now they expect glorious Days for themselves, and what they expect God Almighty knows, for I am confident they don't know themselves. Now consider how difficult it will be, for any Prince, who has but a crazy Title to the immediate possession of the Crown, to adjust this matter so, as neither to disgust the Church of *England*, nor the Dissenters, and if either of them be disobliged, there is a formidable Party made against them.

This being the Case, should the King be deposed, and any other ascend the Throne, it will be necessary for them to keep up a standing Army to quell such Discontents; for where there are and will be Discontents without any tie of Conscience to restrain Men, there can be no defence but only in Power; and this will raise and encrease new Discontents; for it alters the frame of our Constitution, from a Civil to a Military Government, which is one of the great Grievances we have complained of, and I believe *English* People will not be better pleased with *Dutch*, or *German*, or any foreign Souldiers, than they were with their own Country-Men; and I believe *English* Souldiers will not be extremely pleased to see themselves disbanded, or sent into other Countries to hazard their Lives, while their Places are taken up by Foreigners, who live in ease, plenty, and safety: And when

when things are come to this pass, which is so likely, that I cannot see how all the Wit of Man can prevent it; I will suppose but one thing more, which you will say is not unlikely, that the King return with a foreign Force to recover his Kingdoms, how ready will the Men of Conscience, and the Men of Discontent be to join him, nay to invite him Home again; and if he returns as a Conquerour, you will wish, when it is too late, that you had treated with him, and brought him back upon safe and honourable Terms.

Secondly, Let us suppose now, that all this should be over-voted (for I am sure it can never be answered) and the Convention should resolve to proclaim the next Heir.

1. You must be sure to examine well who is the next Heir, that is, you must thoroughly examine the Pretences of the Prince of *Wales*; and yet if you have not good Proofs of the Imposture, you had better let it alone. For tho the Nation has had general presumptions of it, yet a Male Heir of the Crown is mightily desired, and People would be very fond of him, if they had one, and seem to expect some better Proofs than meer Presumptions against him, because common Fame has promised a great deal more, and if you should either say nothing to it, or not what is expected, it would be a very plausible pretence for discontented People to quarrel.

2. Suppose the Princes of *Orange* should appear to be the next Heir, what if a Lady of her eminent Vertue should scruple to sit upon her Father's Throne, while he lives? Or what if she should scruple it hereafter, and place her Father in his Throne again? This is not impossible; for Vertue is greater than a Throne. For my part, I think you will put a very hard thing upon so excellent a Lady, and I pray God give her Grace to resist the Temptation. A Regency is more tolerable, because a Nation must be governed, and none so proper to govern it as the next Heir; but I should think, none who expect to wear a Crown, should countenance Subjects in deposing their King, nor accept of a Crown upon such Terms, as to take it off of a Father's Head: It is a dangerous thing for a Prince who has a Title to the Crown, to own that the Crown may be forfeited or demised by such a withdrawing; if this be not so, the Princess has no Right to the possession of the Crown yet; and if it be so, her Crown is worth a great deal less than formerly it was, especially if she own
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this Secret by accepting the Crown, which her Ancestors always concealed, and which the best Subjects of *England* would not believe before; what they may do after this, I know not.

Thirdly, The next Design (I verily believe without the knowledge or thought of the Prince, who has too great a Mind to think of any thing, which in the opinion of any wise Man could stain and fully his Glory) is to give the Crown to the Prince of *Orange*, for it must be a Gift, if any thing; for he has no immediate Title to it, that I know of: This is upon a pretence, that the Government is dissolved, and therefore we must begin *de novo*, which is very ridiculous, when the King is still alive, and the Laws in as full force as ever, only the Regular Administration of Government at present interrupted by the King's absence; but this is not the worst of it, for it is a dangerous pretence too, especially to Men of Quality and Estates, as you are; for if the Government be dissolved, our Laws are dissolved, and Honour and Property dissolved with them, and then I doubt the Mobile will come in for their share in the new Division of the Lands, and set up for Men of as good Quality as any; for if our Laws are gone, we return to a state of Nature, in which all Men are equal, and all things common; this I believe you will not be for, for the Reason above-mentioned.

If then the Laws continue, the Government is not dissolved, and the Crown is not a Gift, but an Inheritance still, as much as your Estate is; and then the Prince of *Orange* cannot have it in his own Right, because his own Princess, and the Princess *Anne* are before him; consider then what the consequence of this Project would be.

1. This alters the essential Constitution of the *English* Government, by changing an Hereditary into an Elective Monarchy, a thing which I know some Men are very fond of; for then the next occasion they can find to quarrel with their Prince, they may with as much ease turn it into a Common-Wealth; for when the Crown is at the Peoples disposal, they may if they please keep it to themselves.

2. This will entangle all Men of Conscience in new Difficulties; for the Oath of Allegiance does not only bind us to the King, but to his Heirs and Successors, which must be understood of the next lineal Heir, where there is no Authority to alter it; and whatever a Parliament may be thought to have with the Authority and Con-

sent of the King, no Man pretends, that a Convention of the Estates has any Legal Authority to do it. I should be as heartily glad as any Man, to see the Prince of *Orange* legally seated on the *English* Throne; but these are Difficulties I cannot break through. Thus I have given you my hasty Thoughts, and pray God to direct you.

I am Yours.

POSTSCRIPT.

There is one thing more, I would beg of you, that the Story of *French League to cut Protestants Throats in England* may be well examined; for this did more to drive the King out of the Nation, than the Prince's Army; and if this should prove a Sham, as some, who pretend to know, say it is, it seems at least to be half an Argument to invite the King back again. In short, remember you are a Convention, not a Parliament, and therefore nothing can give Authority to what you do, but the good liking of the People; and as Necessity only can justify your meeting without the King's Writs, so I hope you will take care to do nothing but what will justify itself to God, the King, and your Country.

An

An ANSWER to the Author of
the LETTER to a Member of
the CONVENTION.

Reverend Sir,

YOUR Name, your Quality, your Religion, and your Design in Publishing this Letter are wholly unknown to me, but the confident Assertion, *pag. 3. §. 16. That you are sure it can never be Answered*; sounds so like a Son, or rather a Father of the *Infallible Church*, that it has provoked me, if not to answer, yet at least to reflect upon some Passages in this Magisterial Composure.

§. 2. *Whatever becomes of other Arguments, Interest is most likely to prevail.* You, Sir, suppose your Parliament-Man, in these words, to be one who will regard no Arguments from Justice, Reason, Religion, or the Laws of God or Man; *Interest* is the only thing which is *likely to prevail*; an excellent Complement to a Parliament-Man; but it goes higher yet, and takes in the Majority of the States, for no one Man shall ever determine these great things.

§. 3. You tell him, That *All the threatening Dangers of Popery were not a more formidable Prospect to considering Men, than the present Distractions and Divisions.* Now surely this is a very bold and daring stroke; but that I am certain these pensive thoughtful Men are not either very numerous, or very considerable; otherwise, the few of the Church of England that are over-thoughtful in this Point, deserve much Compassion, because they disquiet themselves and others out of pure tenderness of Conscience, and an over-great Loyalty; but then there is no danger to be apprehended from them; and they will in time satisfy their own Scruples, and in the interim, I doubt not, infinitely more Men dread the *Dangers of Popery*, even to this Day, than all the

Common-wealth-Men, Dissenters, ambitious and revengeful Wretches, which you have so artfully mustered up to fright the *Country Esquire* with, can over-balance. Strange it is in the mean time, that the *Dangers of Popery*, which last *October* appeared so formidable, should in so short a time vanish, or rather dwindle into nothing: But God, by the Ministry of the *Prince of Orange* and his Friends, has brought this about. In the rest of that Section I agree with you, and approve of it.

The two next Sections being only a representation of the different Parties of Men now upon the Stage, I leave as I find them.

S. 6. *Though the Opinion of those who are for sending to the King, and treating with him to return to his Government, under such legal Restraints, as shall give security to the most jealous Persons for the preservation of their Laws, Liberties, and Religion, is horribly decry'd, &c. yet the only Reason against it is, because it is vain.* Now, Sir, that Reason is so very good, that it may perhaps justify that dreadful Consequence you so shrink at; for though I do not doubt but you are a wonderful *Legislator*, yet if Twenty wiser Men than you were joined with you to frame these new Laws, yet let but a *Popish Prince* have the Supreme Executive Power and the Legal Prerogatives, and he will break through all your Restrictions with wonderful Facility, as we have seen by Experience. But then if you leave him the Name, and take away the Power of a King, you set up a *Common-wealth* immediately, which will not end with your *Popish Prince*, but there will be stickling to keep all things in the same State in the following Reign, of what Religion soever the Prince is, which was the Reason why the Limitations offered by *Charles II.* in 1679, were rejected.

[And let it be remember'd also how well that *Prince*, that was suppos'd to be a *Protestant*, kept his Word, and the Solemn League and Covenant, which he solemnly with Hands and Eyes lifted up to Heaven, swore to observe in *Scotland, &c.*]

Well, but we would have thought our selves very secure if the King would have call'd a Free Parliament; Yes, Sir, if he would have call'd it *Freely*, so that it had been the production of his Will without Force; but Sir, it is notorious, he was resolv'd the Parliament should either not be free, or not meet; and if your Memory will not serve you to recall the virulent Reflection on the humble Petition presented by the Lords Spiritual and Temporal the 17th of November last, in which the Author tells us, That the *Summoning a*

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Parliament now, is so far from being the only way (to preserve His Majesty and the Kingdom) that it will be one of the principal causes of much Misery to the Kingdom, &c. and nothing would do then, but driving the *Prince of Orange* out of the Kingdom with Force and Arms. Now I say, Sir, if you cannot remember this, you shall never be trusted to *frame Laws*, if I can help it.

There is another and a better Reason to refuse a Treaty, than the *fearing the King should comply*. Suppose that he should grant all that you can ask, bating *White-Hall, the Revenue, the Title of King, and the Right of calling Parliaments, and making Peace and War*: What Security have we that he will acquiesce in this low restrained Estate? Oaths, Laws, and Promises we had before, but what did they signify? Who shall be Guarantee? what shall we do if he break out again? In short *quis custodiet Custodes*? So that the many who desire a Treaty, are desired to read the *Enquiry into the present State of Affairs*, that they may not come into the Discipline of the severe Lady, who has taught the Protestants in *France and Piedmont* a Lesson which *England* too must have gone through with, if God and *H. W. P. O.* had not saved us.

But if the *Convention* should refuse to treat, and *Depose the King*, it would act without a Legal Power, §. 8. Why Sir, here is no occasion to talk of a *Deposition*, the King is gone of his own accord freely; and they are only to consider whether we shall perish in a State of *Anarchy*, recal him, and suffer over again all that is past, and all that was intended, but prevented; or whether they shall recognize the next immediate Heir, and enquire who that is? Well, but the next Heir, it seems, shall have small joy of it, *his whole Authority depending on a Convention that has no Authority*: In good time! Will the Authority of this Prince, when acknowledged, depend on the Authority of the *Convention*? Did *Queen Elizabeth* or *King James I.* owe all their Authority to the Parliaments which recognized their respective Rights? *But no Man will think himself bound in Conscience to obey this Heir*. Have you, Sir, the keeping of all Mens Consciences, or the knowledge of their Thoughts? I can assure you mine is not in your custody.

§. 9. *All those who think themselves bound [still] by their Oath of Allegiance to defend the King's Person, his Crown, and Dignity, &c. will be greatly discontented.* Why Sir, then they may

go over into *France*, and be admitted into his Guards, and perhaps the generous Allowance given him by the *French King*, will maintain them, if their *Heresie* do not over-balance their Loyalty, and turn it into a Crime, as it happened to the *Hugonots*. Well, but they will never own any other whilst their own King lives: Assuredly this is a wonderful Man, if he could but as certainly inform us of the number, as he can of the Thoughts and future Actions of these *Loyalists*.

Well, but it they should happen to be Persons of known Prudence, Abilities, Integrity, Honesty, though they were never so few and never so tame, it would give a terrible stroke to this Tottering Government. Why, Sir, all or the greatest part of such Men in the Nation, were a dreadful Body, tho they were and ever will be few; but Sir, there must be a considerable Body of such Men first satisfied in the Convention, a number without Doors are already satisfied, and more will when the States have passed their Resolves; and the remainder of the Men of this High Character, who will still remain Discontented, if they are any thing Peaceable, though not over Tame, will never be able to shock the most Tottering Government in the World by their Examples, how well soever he thinks of them.

Yet, §. 10. He endeavours to shew the number will not be small, because many who joyned with the Prince, are ashamed of what they have done, and ask God pardon for it, and are ready to undo it as far as they can. Well, Sir, how many such do you know besides your self? A List of these Men were worth the having, and may perhaps be easily taken, if one knew how to separate them from the rest; however, I should not fear greatly the terrible Shock of these wonderful Men, till I had better information of their Numbers than you can possibly give us. They were not willing to part with the King, tho they were horribly afraid of Popery. Why, Sir, has the King changed his Religion in *France*? or are these Gentlemen so fond of the King, that they would now be contented to suffer all that Popery threatened so lately? Or are they become as weary of their Delivery as they were before of Popery? Or, will they sacrifice their Laws, Religion, old Foundations, and Free Parliaments to their Allegiance to their King? If you say, Yes, I have done; if no, then you would have what was not to be had, and will not be contented with what may be had; and if the Num,
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ber of these Men is great, farewell to the Liberties, Laws, Religion, and Privileges of *England*, and its Wealth and Inhabitants too, and what is left you may be pleased to divide amongst your Men of *Character*.

To all this he assures us, §. 10. *There will be a Thousand Occasions of Discontent*: Just a *Thousand*, neither one more or less, besides those springing from the *sense of Loyalty and Conscience*: Strange, that these Two should be so troublesome, as to equal, if not exceed the whole *Thousand* that went before.

He that had been before so liberal of his Information, now sets us to guess in §. 10. *How many will be discontented in the new Court for want of Preferment*? Why, Sir, If you please to inform me how many days in *February* shall be clear, and how many shall be cloudy, I will fall a guessing how many in the new Court shall be pleased, and how many shall be dissatisfied; but when I have done, it will not be worth the while, because this ever happens, and Courtiers have an old way of keeping these Malecontents in hope, till they fall off or gain what they desire; and so if there should happen to be a *Thousand* of them, they will not be able to shock the Government, if there is no other cause of Discontent than that.

Well, but here *Duty and Discontent will mix, because they are sensible of their Mistake when it is too late*: For as they ought not to have fought for *Popery*, nor against the *Laws and Liberties* of their Country; so neither ought they to have deserted the defence of the *King's Person and Crown*, but have brought the *Prince to Terms* as well as the *King*: Why, Sir, *Nemo tenetur ad impossibilia*. The King was never brought to Terms, nor perhaps never will: So that if they had Fought at all, it must have been for *Popery*, and against both our *Laws and Liberties*. Sir, shew when and where the King offered us or the Prince any *Terms*, and I will pass my word you shall be employed to *frame Laws* for the *Convention*, which is certainly a good Employ for one that is so expert at it as you pretend to be.

Well, §. 13. *A heavy Tax must be laid upon the Nation, to defray the Charge of this Expedition*: Why, Sir, Are you of the Privy Council to the Prince? Surely he will be able to find some other Cause, or not make the Tax so very heavy. But Men will be very sorry to lose their King, and pay so dear for it too. Yes doubtless, a Gracious King is a great Loss; but if he will be gone, and in-

involve us in a War too, *Taxes must be paid*, yea, *heavy Taxes* to support the Charge of it, or *Louis* will in a short time teach us what the Prince's Expedition was worth, whatever it cost.

But this is not all, we must *part with our Church too*, the *crazy Title* will require the giving the Church to the Dissenters, §. 14. The Dissenters have of late acted very well, and perhaps if a wise Man has the manning of them; and the *Popish Emissaries* be carefully looked after, we may compound the Quarrel better cheap than the *parting with our Church*. Sir, I am well assured a great deal less will for the present content them, and the King is not Immortal, and whenever he Dies, the *Crazy Title* will be Sodered again, if no Body be to blame for giving it another terrible Shock.

§. 15. *Should the King be Deposed, or any other ascend the Throne, it will be necessary to keep a standing Army to quell such Discontents.* You may be a good *Law-framer* for ought I know, but I will swear you are no *States-Man*; this whole Section is meer Whimsey borrowed from the *Dutch Design Anatomized*, who had the folly to talk of Governing *England* by an Army of *Dutch* and *Germans*; but why, God knows, except it were because a few were brought over to deliver us, and cannot presently be returned back to *Holland*. The Prince is both a wise and a good Prince, and knows the Consequence of keeping those Forces long here, better than a Thousand such *Law-framers*.

Suppose the King should return with a Foreign Force to recover his Kingdom, how ready will the Men of Conscience be, and the Men of Discontent to joyn with them, nay, to invite him Home again. This looks so like a *Roman Catholick Zeal*, that if I were not assured he is a *Church of England-Man*, I could not believe but it was a Disciple of *St. Omers*: But will the Conscientious Men invite the King home again, with all his Apostolick Vicars, Jesuits, Ecclesiastical Judges, Dispensing Power, and a round Army of *French Dragoons* to teach us the *French Faith* after the *French Fashion*? Are these the Men of Character, Prudence, Ability, Integrity, or of Conscience either? Would one of the Primitive Christians have talked thus, have stood for a *Licinius* against a *Constantine*? Well, if the King comes in a Conqueror, we shall wish we had Treated. Truly I shall not; I had rather be forced than deceived, for then I know what I have to trust to; and I would not willingly be accessory to my own Ruine.

Well,

Well, suppose this unanswerable stuff is over-voted, §. 17. *We are bringing good proof the Prince of Wales is an Imposture, or else we had better let it alone.* Very good; the Negative is to be proved; we may guess by this what kind of Laws you, Sir, would frame. Well, but if this be not done, the *Discontented Men will have a plausible pretence to quarrel*: What the Conscientious Men will do we must guess, but in all probability they will not be better qualified.

What if the Princess of Orange be a Lady of that eminent Virtue that she should scruple to sit upon her Father's Throne whilst he lives? Well, his Majesty has deserted his Throne and Kingdom when he needed not, except he had pleased; and some Body must sit upon his Throne, though he is yet Alive: Now if it be her Right after his Death, why not now? Our Author is at his Prayers, that *God would give her Grace to resist the Temptation*; and I at mine, That the Author may never be one of her Chaplains till he is better inform'd. The rest of that Section is not unanswerable, but not worth answering.

He has all along supposed the Prince of Orange Crown'd, yet in the 19th Section he proves he can have no Right to it, neither by *Descent* nor *Gift*; and truly I am of the same mind for many Reasons, and especially for the sake of the Three alledged by him, *Self. 20, 21, 22.* and for some others too of as great weight, which may be found in the *Lord Virulam's History of Henry VII.* And yet our Case now before us has three Difficulties that had not, 1. A King living. 2. A Prince of *Wales* true or false. 3. A Nation divided in Religion; to which I might perhaps add the *Excessive Power of France*, and the *Excessive Zeal* of this Generation to preserve the Descent of the Crown in the Right Line, and in the Legal Steps and Degrees. And this being done, I am persuaded nothing can divide the *English Nation*, or lessen their Zeal and Affection to the Prince of *Orange*, who has deserved the Crown, if it were ours to give him.

The Postscript, which is an *Hymn and Cry* after the *French League to cut our Throats*, I leave to the *Convention*: And if I durst be so bold as to ask a Favour of them, it should be to enquire what the *Ro. Catholick* meant by that Threat of theirs, so frequently printed and spoken by them, *If fair means would not obtain the Repeal of our Penal Laws and Tests, foul should.*

Now for a Conclusion, I would desire you, Sir, to propose your method of Restoring the King, and Securing our *Laws and Religion*, and it shall go hard but I will shew you it is impracticable, or impossible, that it will never be granted; or if it be, never observed: And if you please to bless the World with a *Receipt of an Obligation* that will bind the Conscience of any other *Roman Catholic* so fast that neither *Jesuit* and *Pope* can break or untie it, I assure you I will joyn with you in a Petition to the Convention, for a Treaty forthwith, without any other Terms to be proposed than the giving us that Security, whatever it is. And in the Intim, I am,

S I R,

Jan. 24. 1683.

Y O U R S.

 F I N I S.
